

REMARKS

Claims 1-9, 12-14, 21-22 and 26-31 were examined by the Office, and in the Office Action of May 1, 2009 all claims are rejected. With this response claim 26 and 30 are amended to correct informalities. Applicant respectfully requests reconsideration and withdrawal of the objections and rejections in view of the following discussion.

Claim Objections

In section 2, on page 2 of the Office Action, claims 26 and 30 are objected to due to informalities. Claims 26 and 30 are amended to replace “adaption” to “adaptation,” as suggested by the Office. Accordingly, applicant respectfully requests withdrawal of the objection to claims 26 and 30.

Claim Rejections Under § 103

In section 4, on page 3 of the Office Action, claims 1-9, 12-14, 21-22, 26, 28 and 30 are rejected under 35 U.S.C. § 103(a) as unpatentable over Labun et al. (U.S. Patent No. 6,842,621). Applicant respectfully submits that claim 1 is not disclosed or suggested by Labun, because Labun fails to disclose or suggest all of the limitations recited in claim 1. Applicant respectfully submits that Labun at least fails to disclose or suggest adapting in a mobile terminal at least one software application by configuring it in one of pre-configured configurations in accordance with an obtained property of one of at least one of a number of different types of data connections accessible from the mobile terminal device. Therefore, for at least this reason, applicant respectfully submits that claim 1 is not disclosed or suggested by Labun.

Labun is directed to a system and method for splitting control and media content signals of a cellular network connection of a mobile station. A user's Wireless Application Protocol (WAP) browsing session may be upgraded to a Web browsing session with a non-cellular network connection as the user moves into the coverage area of an access point. However, the transition from a WAP browsing session to a Web browsing session is distinct from adapting a software application to one of pre-configured configurations in accordance with an obtained property of one of a number of different types of data connections, as recited in claim 1. As stated in Labun, the two means for accessing the Internet or an intranet, WAP and Web browsing, are distinct and separate. See Labun column 1, lines 43-44. Therefore, the transition

from WAP to Web browsing is not the adaption of a software application as recited in claim 1, because an entirely different application, i.e. either WAP or Web browsing, is used.

In Labun, a connection threshold value is used to determine when to convert the mobile station's WAP session into a Web session using a remote device, such as a desktop computer or a network connected monitor to display the Web browsing session to the user. See Labun column 5, lines 9-13. Once the mobile station is within a proximity of an access point, the mobile station connects to the access point, with a variety of possible connections. See Labun column 5, lines 27-29. For example, in a first scenario the connection to the first network (106) is released so that control data and media content data are no longer transmitted via the first network. See Labun column 5, lines 38-41. In a second scenario, the connection to the first network (106) is maintained for purposes of sending the control data, but the media content is no longer transmitted via the first network. See Labun column 5, lines 46-49. Determination of whether the connection to the first network (106) will be retained or disconnected is dependent upon the characteristics and network connections of the remote device or output component. See Labun column 5, lines 51-55.

Therefore, in contrast to claim 1, the configuration of the connections, i.e. whether connection to the first network is maintained, is dependent upon the characteristics of the network connections, but Labun does not disclose or suggest adapting software applications by configuring the applications in one of pre-configured configurations based on the properties of at least one data connection. Furthermore, in Labun the mobile station is able to browse using the Web session with the user interface of the mobile station and the output component, i.e. display and speakers of the remote device. See Labun column 6, lines 18-21. However, this is not the equivalent of adapting at least one software application by configuring it in one of pre-configured configurations in accordance with obtained properties of at least one data connection accessible from the mobile terminal device. Therefore, for at least the reasons discussed above, claim 1 is not disclosed or suggested by Labun.

Independent claims 12-13 and 21 contain limitations similar to those recited in claim 1, and therefore for at least the reasons discussed above with respect to claim 1, claims 12-13 and 21 are not disclosed or suggested by Labun.

The dependent claims rejected above all ultimately depend from an independent claim. Therefore, the dependent claims are not disclosed or suggested by Labun at least in view of their dependencies.

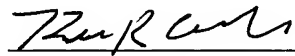
In section 5, on page 6 of the Office Action, claims 27, 29 and 31 are rejected under 35 U.S.C. § 103(a) as unpatentable over Labun in view of Ganton (U.S. Patent No. 6,973,335). Claims 27, 29 and 31 all ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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